Meeting of States Parties

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Twenty-second Meeting
New York, 4-11 June 2012

Election of the members of the Commission on the Limits of the Continental Shelf

Note by the Secretary-General

I. Introduction

1. On 15 June 2012, the terms of office of the 21 members of the Commission on the Limits of the Continental Shelf will expire. Accordingly, elections will need to be held to replace the members.

2. The current members of the Commission are as follows: Alexandre Tagore Medeiros de Albuquerque (Brazil); Osvaldo Pedro Astiz (Argentina); Lawrence Folajimi Awosika (Nigeria); Harald Brekke (Norway); Galo Carrera Hurtado (Mexico); Francis L. Charles (Trinidad and Tobago); Peter F. Croker (Ireland); Indurlall Fagoonee (Mauritius); Mihai Silviu German (Romania); Abu Bakar Jaafar (Malaysia); George Jaoshvili (Georgia); Emmanuel Kalngui (Cameroon); Yuri Borisovitch Kazmin (Russian Federation); Wenzheng Lu (China); Isaac Owusu Oduro (Ghana); Yong-ahn Park (Republic of Korea); Fernando Manuel Maia Pimentel (Portugal); Sivaramakrishnan Rajan (India); Michael Anselme Marc Rosette (Seychelles); Philip Alexander Symonds (Australia); and Tetsuro Urabe (Japan).

3. Article 2, paragraph 2, of annex II to the United Nations Convention on the Law of the Sea provides that, at least three months before the date of each election, the Secretary-General of the United Nations shall address a letter to the States parties, inviting the submission of nominations, after appropriate regional consultations, within three months.

4. Paragraph 3 of the same article provides that elections of the members of the Commission shall be held at a meeting of States parties convened by the Secretary-General at United Nations Headquarters.

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II. Nomination of candidates

5. Pursuant to the above provisions, the Secretary-General addressed a communication dated 30 November 2011 to States parties inviting them to submit, between 5 December 2011 and 4 March 2012, the names of candidates whom their Governments might wish to nominate for the election of members of the Commission, together with a statement of their qualifications. It was noted that the election would take place during the twenty-second Meeting of States Parties, scheduled to be held from 4 to 11 June 2012 in New York.

6. In the communication, the Secretary-General recalled that, pursuant to article 2, paragraph 1, of annex II to the Convention, the members of the Commission shall be experts in the field of geology, geophysics or hydrography.

7. The Secretary-General has prepared a list of all the persons nominated, in accordance with article 2, paragraph 2, of annex II to the Convention, following the closing date for nominations (SPLOS/239). The curricula vitae of the candidates will be circulated in advance of the Meeting (to be issued as SPLOS/240).

III. Allocation of seats

8. Article 2, paragraph 3, of annex II provides that not less than three members of the Commission shall be elected from each geographical region. In this connection, at the nineteenth Meeting of States Parties, held in June 2009, the following arrangement for the allocation of seats for the next election of the members of the Commission was approved with the understanding that the arrangement would not prejudice or affect future arrangements for elections: five members from African States; five members from Asia-Pacific States; three members from Eastern European States; four members from Latin American and Caribbean States; three members from Western European and other States; and the remaining one member from among the African States, Asia-Pacific States and Western European and other States (see SPLOS/201 and SPLOS/203, paras. 100-102).

IV. Procedure for the election

9. Rule 71 of the rules of procedure for Meetings of States Parties (SPLOS/2/Rev.4) provides that the elections of the members of the Commission shall take place in accordance with article 76 and annex II to the Convention.

10. Article 2, paragraph 3, of annex II to the Convention provides that two thirds of the States parties shall constitute a quorum, and that the persons elected to the Commission shall be those nominees who obtain a two-thirds majority of the votes of the representatives of States parties present and voting.

11. Subject to agreement at the Meeting, in accordance with established practice, the election would be held by secret ballot. For the first round of balloting, separate ballot papers would be prepared for each region on the basis of the above-mentioned arrangement for the allocation of seats and would contain the names of the candidates from each region. If more than the required number of nominees obtain, on the same ballot, the two-thirds majority of the votes of the representatives of States parties present and voting, those nominees obtaining the highest number of

votes above the required majority would be considered elected, up to the number of seats to be filled for each region.

12. Balloting would continue, as in previous elections, applying rule 65 (Restricted balloting for one elective place) and rule 66 (Restricted balloting for two or more elective places) of the rules of procedure for Meetings of States Parties, until as many candidates as are required for the seats of each region to be filled obtain, in one or more ballots, a two-thirds majority of the votes of States parties present and voting.

13. Only those candidates whose names appear on the ballot papers are eligible for election. Voting for a candidate is done by placing a cross in the box to the left of the name. Blank ballot papers will be considered abstentions. Ballots marked in any other way will be considered invalid. Ballot papers marked for more candidates than the number of seats indicated will be considered invalid.

14. At the twenty-first Meeting of States Parties, it was agreed, in connection with the election of seven members of the International Tribunal for the Law of the Sea, that the election would follow a two-step approach. In the first part, six members of the Tribunal would be elected on the basis of the confirmed regional allocation of seats in accordance with the procedure set out in paragraphs 9 to 13. The second part would be exclusively for the remaining seat, limiting the election to those candidates from the African, Asia-Pacific and Western European and other States who had not been elected in the first part. Balloting would continue until a single candidate from one of those groups had obtained the highest number of votes and the required majority. This procedure was adopted, however, on the understanding that those modalities were without prejudice to any different arrangements for the conduct of future elections by the Meeting of States Parties (see SPLOS/231, paras. 62-64). Accordingly, at the current Meeting, agreement will have to be reached on whether to proceed on the same basis for the present elections to the Commission.

V. Terms of office

15. Article 2, paragraph 4, of annex II to the Convention provides that the members of the Commission shall be elected for a term of five years and be eligible for re-election. The terms of office of the elected members will begin on 16 June 2012.